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17 Attorneys for Plaintiff,
18 U.S. SMALL BUSINESS ADMINISTRATION,
19 as Receiver for PROSPERO VENTURES, L.P.

20
21 UNITED STATES DISTRICT COURT
22
23 NORTHERN DISTRICT OF CALIFORNIA

24 U.S. SMALL BUSINESS
25 ADMINISTRATION, as Receiver for
26 PROSPERO VENTURES, L.P.,

27 NO. C 07-03738 JSC

28 Plaintiff,

STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE AND
[PROPOSED] ORDER THEREON

v.

RAINBOW ENTERPRISES, L.P.,

Defendant.

27 This stipulation is entered into by and between plaintiff, U.S. SMALL BUSINESS
28 ADMINISTRATION, as Receiver for PROSPERO VENTURES, L.P., and defendant,
RAINBOW ENTERPRISES, L.P., on the following recitals, terms, and agreements:

29
30 RECITALS

31 This stipulation is entered into with the following facts taken into consideration:

32 A. Plaintiff filed the above-captioned action on July 19, 2007.

B. Plaintiff thereafter served the complaint on defendant on August 21, 2007.

C. Defendant filed an answer on October 19, 2007.

D. Plaintiff has also filed a notice of pendency of related cases and an administrative motion has been submitted to Judge Armstrong for determination. The parties therefore wish for additional time to allow the administrative motion to be decided.

E. In order to permit the parties time to complete the preparation of a joint case management conference statement under F.R.C.P. Rule 26(f), the parties request a continuance of the case management conference.

STIPULATION

With the above facts taken into consideration, the adequacy and sufficiency of which are hereby acknowledged, the parties do hereby stipulate and agree as follows:

1. The case management conference shall be continued for a period of time not to exceed 45 days in order to allow joint case management conference statement to be agreed upon by the parties and submitted to the court.

2. This stipulation may be executed in counterparts and a facsimile and/or electronic signature shall be considered as valid as an original.

Dated: October 11, 2007

COLEMAN & HOROWITZ, LLP

By:

DARRYL J. HOROWITZ
Attorneys for Plaintiff

Dated: October 22, 2007

O'CONNOR & ASSOCIATES

By:

~~JOHN O'CONNOR~~
Attorneys for Defendant

ORDER

1 The parties having to stipulated, and good cause appearing therefor,

2 IT IS HEREBY ORDERED that:

3 1. The case management conference shall be continued to _____,
4 2007, at 10:00 a.m., in Courtroom E.

5 2. The parties shall file a joint case management conference statement no later than
6 _____ , 2007.

7 Dated: _____

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10 MAGISTRATE JUDGE
11 U.S. DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

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